

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKDERICK LOUIS WILLIAMSRECEIVED
SDNY PRO SE OFFICE

2016 FEB -9 PM 12: 51

S.D. OF N.Y.

**COMPLAINT
FOR EMPLOYMENT
DISCRIMINATION**

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

Jury Trial: ☒ Yes ☐ No
(check one)metro North Rail RoadAllen Russey, Kevin Roger,Trevor Harvard(In the space above enter the full name(s) of the defendant(s).
If you cannot fit the names of all of the defendants in the space
provided, please write "see attached" in the space above and
attach an additional sheet of paper with the full list of names.
Typically, the company or organization named in your charge
to the Equal Employment Opportunity Commission should be
named as a defendant. Addresses should not be included here.)**16CV1141**

This action is brought for discrimination in employment pursuant to: (check only those that apply)

X

Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

NOTE: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue Letter from the Equal Employment Opportunity Commission.

Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 - 634.

NOTE: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.

Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 - 12117.

*NOTE: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue Letter from the Equal Employment Opportunity Commission.*X

New York State Human Rights Law, N.Y. Exec. Law §§ 290 to 297 (age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status).

New York City Human Rights Law, N.Y. City Admin. Code §§ 8-101 to 131 (actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status).

I. Parties in this complaint:

- A. List your name, address and telephone number. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name DERICK Lewis Williams
 Street Address 2438 MORRIS AVE
 County, City Bronx
 State & Zip Code NEW YORK 10468 ** 4-E
 Telephone Number 646-260-8382

- B. List all defendants' names and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant Name Allen Rossney, Kevin Roger, Trevor Harvard
 Street Address 420 Lexington AVE
 County, City New York New York
 State & Zip Code 10017 11 Floor
 Telephone Number 914-686-7405 OR

- C. The address at which I sought employment or was employed by the defendant(s) is:

Employer Metro North Rail Road
 Street Address 420 Lexington AVE
 County, City new York New York
 State & Zip Code 10017
 Telephone Number _____

II. Statement of Claim:

State as briefly as possible the facts of your case, including relevant dates and events. Describe how you were discriminated against. If you are pursuing claims under other federal or state statutes, you should include facts to support those claims. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

- A. The discriminatory conduct of which I complain in this action includes: (check only those that apply)

_____ Failure to hire me.
 _____ Termination of my employment.
 _____ Failure to promote me.
 _____ Failure to accommodate my disability.
 _____ Unequal terms and conditions of my employment.

☒ Retaliation.

☒ Other acts (specify): Defamation of Character, false charges

Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.

B. It is my best recollection that the alleged discriminatory acts occurred on: 11-25-15
Date(s)

C. I believe that defendant(s) (check one):

☒ is still committing these acts against me.

☐ is not still committing these acts against me.

D. Defendant(s) discriminated against me based on my (check only those that apply and explain):

☒ race because I didn't answer yes or no

☒ color when I was accused these charges

☐ gender/sex _____

☐ religion _____

☐ national origin _____

☐ age. My date of birth is _____ (Give your date of birth only if you are asserting a claim of age discrimination.)

☐ disability or perceived disability, _____ (specify)

E. The facts of my case are as follow (attach additional sheets as necessary):

because of my Race and color I cannot ask foremen Trevor a question with out it becoming a problem this goes on with these individuals. also singled out at a Coach Cleaner meeting Ellen Rossney, Kevin Roger and waiting on a Trial date from pass case of Retaliation 13 CIV 4731 (PGG)
more attach

Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, the New York State Division of Human Rights or the New York City Commission on Human Rights.

III. Exhaustion of Federal Administrative Remedies:

A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding defendant's alleged discriminatory conduct on: Jan on a Tuesday (Date). 27-16

B. The Equal Employment Opportunity Commission (check one):

☒ has not issued a Notice of Right to Sue letter. *but I will ask for one from EEOC to send to the court later*
☐ issued a Notice of Right to Sue letter, which I received on _____ (Date).

Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.

C. Only litigants alleging age discrimination must answer this Question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct (check one):

☐ 60 days or more have elapsed.
☒ less than 60 days have elapsed.

IV. Relief:

WHEREFORE, plaintiff prays that the Court grant such relief as may be appropriate, including injunctive orders, damages, and costs, as follows: 500,000. from Metro North Railroad

management premeditated bias, Criminal Retaliation
Gang Mentality using bully Tactic Intimidation
 (Describe relief sought, including amount of damages, if any, and the basis for such relief.)

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 9 day of Feb - tuesday 2016

Signature of Plaintiff

Address

Telephone Number

Fax Number (if you have one)

Derick Willes
2438 Morris Ave
Bronx New York
10468 # 4-E

646-260-8382

①



**Division of
Human Rights**

ANDREW M. CUOMO
Governor

HELEN DIANE FOSTER
Commissioner

January 27, 2016

Derick Louis Williams
2438 Morris Avenue, Apt 4E
Bronx, NY 10468

Re: Derick Louis Williams v. MTA Metro-North Railroad
Case No. 10179571

Dear Derick Louis Williams:

Please be advised that this office has received your complaint. Your filing date is 1/27/2016.

A copy of your complaint, and the determination, will be sent to the U.S. Equal Employment Opportunity Commission (EEOC), so that your complaint may be dual-filed under applicable federal law. Your EEOC charge number is 16GB601321.

To protect your rights, it is essential that the Division be notified promptly of any change in your address or telephone number. A form is enclosed for this purpose.

You will be contacted by the Human Rights Specialist assigned to your case when the active investigation of your complaint begins. In the meantime, if you have any questions please call our office at (212) 961-8650.

Very truly yours,

David E. Powell

David E. Powell
Regional Director

*1-27 pages plus A.C.D.
disk*

Derick Williams Jan 13, 2016 (2)
to EEOC

I have been discriminated against
by management at North white.
Plans paid.

by Allen Rensney - Kevin Roger
Trevor Harvard

because of my Race and Color I
cannot ask a white foreman a questions
with out it becoming a problem this
goes on with these individuals.

Defamation of Character is the
Legal term for harming someone
Reputation by making false statement
by management with the gang
mentality using bully tactic.

Retaliation. Harassment. Intimidation.
Pressure. !

there action was premeditated bias
and didn't follow protocol official
procedure or system of Rule governing
of the State it also be come
Criminal Retaliation not Just because
they didn't include General foreman Dave
pate of the Coach Cleaner he was
In form by General foreman Marlin from 12-8
Shift after the charges was made.

Jan 13, 2016

(3)

but allen Rossney Kevin Roger Trevor Harvard but they E mail Dave pate on Nov 25 2015 about Trevor being Intimidated when Derrick Talk to him. why was Dave Pate left out of the Charges 12-16-2015

Dec 1 2015

also Singled out at the Coach Cleaner meeting allen Rossney and Kevin Roger

General foremen Dave Pate ask what happen that night I had no problem telling him what I said?

old → group of management who Retaliated Case against me in the pass from North white plains yard. General foremen Todd Letterio Ray askew foremen Varghese Daniel Carmen Mike McCallister 13 Civ. 4731

the New group - Superintendent Allen Rossney General foremen Kevin Roger foremen Miller foremen Trevor Harvard General foremen Marlin

Since June 19 2011 I wrote up North white plains management on Retaliation to Dec 21 2015. Discrimination and Defamation of Character Harassment Intimidation what is. 2438 Morris Ave Bx

New York 10468 #4-E
Derrick Williams

(4)

These guys are playing the bully
and the victim you cannot be both.

Vindictive having or showing a strong
or unreasoning desire for revengeful
and resentful attack

Prosecution is the legal party responsible
for presenting the case of criminal
retaliation by these individual.
allen Rossney - Kevin Roger - Trevor
harvard

To EEOC

Derrick Williams
2438 MORRIS AVE BX
NY 10468 #4-E
646-260-8382
Derrick Williams

(5)

Reply all | ▾ Delete Junk | ▾ ...

X

Request for information for D. Williams Hearing

**Feltz, John**To: ☐ dknauth@mnr.org; ▾

Reply all | ▾

Wed 1/20/2016 3:17 PM

Sent Items

Request for Information.... ▾

269 KB

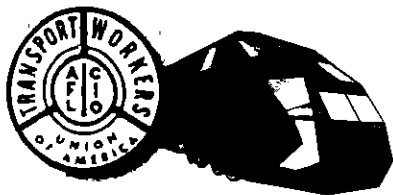
Show all 1 attachment (269 KB) Download Save to OneDrive - Transport Workers Union of America

Mr. Knauth please see the attached letter concerning information and witnesses to be made available to the Organization for the January 26, 2016 hearing for Mr. D. Williams.

Thank you

John R. Feltz
President
TWU Local 2001

6



TRANSPORT WORKERS UNION OF AMERICA

A.F.L. - C.I.O.

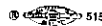
RAILROAD DIVISION

Local 2001

570 Taxter Road • Suite 130 • Elmsford, NY 10523

914-592-0221 • Fax 914-592-0097

John R. Feltz, President
Patrick J. Flannery, Executive Vice President
Patrick M. Howard, Secretary-Treasurer
Brian Corallo, Recording Secretary



Sent as attachment via Email

January 20, 2016

Mr. D. Knauth
Manager Departmental Hearings and Investigations
Metro North Railroad

Re: January 26, 2016, Hearing for Mr. D. Williams

Dear Mr. Knauth:

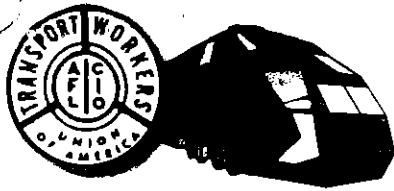
Please have available for the above referenced hearing a copy of the November 25, 2015, Radio Transmissions for North White Plains Yard, for the period of 6:00 pm to 7:00 pm. Please forward to me the names of all witnesses that will be testifying on behalf of Metro North Railroad as well as any written witness statements that the Carrier has in their possession. Also, please arrange to have Mr. Ricardo Thomas appear as a witness.

Very truly yours,

John R. Feltz

President

TWU Local 2001



TRANSPORT WORKERS UNION OF AMERICA

A.F.L. - C.I.O.

RAILROAD DIVISION

Local 2001

570 Taxter Road • Suite 130 • Elmsford, NY 10523

John R. Feltz, President

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914-592-0221 • Fax 914-592-0097



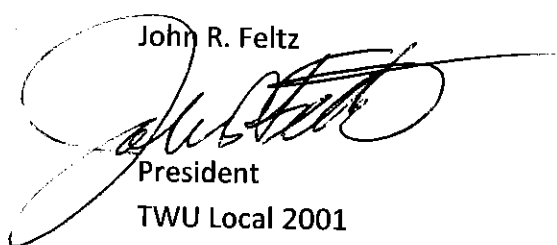
On January 19, 2016, a pre-trial for Mr. Derick Williams was held via a telephone conference with Metro North Hearing Officer Dan Knauth (who held the meeting via phone from his office). The following parties were in attendance at North White Plains Yard, representing Metro North Railroad, General Foreman Kevin Rogers, Mr. Derick Williams who is the accused, for the Organization representing Mr. Williams was, John Feltz President TWU Local 2001, Mr. Patrick Howard, Secretary Treasurer TWU Local 2001, and Mr. Riccardo Thomas TWU Local Chairman for North White Plains. At this time, Mr. Knauth read the charges that were brought against Mr. Williams and without any discussion of the facts in the case; offered Mr. Williams the discipline of a 15-day suspension, which consisted of 5 days in the street without pay and 10 days, deferred. When President Feltz asked how the discipline was determined, Mr. Knauth responded that the charges were discussed with other officers and they determined that that was appropriate for the charges he also stated that if the offer was not accepted that the discipline would be more sever. President Feltz responded that the Organization and Mr. Williams viewed this as a direct threat to Mr. Williams to which Mr. Knauth responded that those were the facts. At this time, President Feltz asked who the other officers were and Mr. Knauth declined to state their names. A counter proposal to have the charges dismissed was made by President Feltz. Mr. Knauth asked the bases for making that proposal. President Feltz responded that Mr. Williams was innocent and that the charges were being brought due to past incidents of harassment that were reported by Mr. Williams. Mr. Knauth stated how could Mr. Williams, possibly be innocent when the Carrier had three Managers as witnesses. At this time, President Feltz stated that based on all of Mr. Knauth's comments that the Carrier had already determined Mr. Williams's guilt and that he was acting as judge, jury and executioner and therefore Mr. Williams would not be able to receive a fair and impartial hearing. Because Mr. Knauth's and the unnamed Metro North Managers offer was based on their predetermination that Mr. Williams was, guilty Mr. Knauth was told that the offer was inappropriate and unacceptable. The Hearing was held on January 26, 2016 and we are presently awaiting the decision.

In regard to the attached charges of Conduct Unbecoming a Metro North Employee/ Insubordination that were brought against Mr. Williams, it should be noted, in testimony given at the hearing, on January 26, 2016, by Metro North witnesses Foreman Harvard, (who was the party that instituted the charges against Mr. Williams), and Foreman Steven Ruth, they determined that Mr. Williams was insubordinate because when Mr. Harvard asked him if he understood his work assignment, Mr. Williams responded I got it instead of yes or no.

8

This once again illustrates Metro North's continuing harassment, discrimination based on Mr. Williams' race and color, deformation and character assignation as well as criminal retaliation all of which are based on premeditated and biased attacks against Mr. Williams.

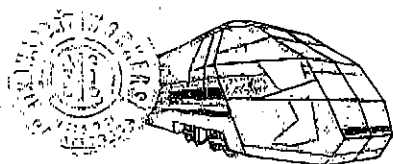
John R. Feltz

A large, stylized handwritten signature in black ink, appearing to read 'John R. Feltz', is written over the printed name.

President

TWU Local 2001

(9)



John R. Feltz, President
Gerald Lorraine, Executive Vice President
Patrick J. Flannery, Secretary-Treasurer

TRANSPORT WORKERS UNION OF AMERICA

A.F.L. - C.I.O.

RAILROAD DIVISION

Local 2001

570 Taxter Road • Elmsford, NY 10523

914-592-0221 • Fax 914-592-0097

515

DATE: 12/18/15

T.W.U. LOCAL 2001 FAX NUMBER: (914-592-0097)

SENT TO FAX NUMBER: 914-686-8726

NAME AND ADDRESS TO WHOM FAX IS BEING SENT:

MR - D. WILLIAMS

FAXED BY JOHN R. FELTZ, PRESIDENT, T.W.U. LOCAL 2001

TOTAL NUMBER OF PAGES FAXED (INCLUDING COVER SHEET) 3

ANY PROBLEMS IN SENDING OR RECEIVING THIS FAX?
PLEASE INFORM SOMEONE IN THIS OFFICE (914) 592-0221.

10

Joseph J. Giulietti - President



Notice of Action - C-250

CERTIFIED MAIL#: 7011 2000 0002 2167 6922 - USPS -Hand Delivered

Ref No: 121615_10369

Date : 12/16/2015

Employee ID: 115331

Derick L Williams

2438 Morris Ave

Apt 4c

Bronx, NY 10468

Dear Derick L Williams:

Please arrange to be present at a trial at the North White Plains Car Shop, 2nd Floor, DACMO Office, 353 Parkway Homes Rd, North White Plains, **on Wednesday, December 23, 2015 at 9:30 a.m.** This trial is being held to determine your responsibility, if any, in connection with the following charges:

Conduct Unbecoming a Metro-North Employee/Insubordination. On November 25, 2015 at approximately 6:00 p.m., you were given a job assignment to service the restrooms on Train 559. After you were given the assignment, you stopped work and walked to the shop office, where you confronted Foreman Havard in an aggressive and hostile manner, and complained about the work assignment.

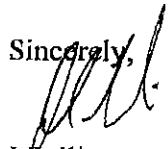
Conduct Unbecoming a Metro-North Employee/Insubordination. On December 4, 2015 at approximately 4:30 p.m., you went to the Foreman's office to sign the safety sheet and get your job assignment. Foreman Havard told you that there was a change in assignment – instead of wiping down bathrooms you would be picking up the north end trains with Mr. Peters, who would do the south end. You refused to acknowledge Foreman Havard or the assignment, despite being approximately three feet away from where he was seated. After several attempts by Foreman Havard to confirm you were aware of the change, you acted in an argumentative and confrontational manner, saying "I know my assignment, I spoke to Mr. Peters who informed me of the change, I don't need to speak with you." You then left the office. Approximately five minutes later, you returned and continued to act in an aggressive and confrontational manner. You walked to Foreman Havard's desk and said "I know what I need to do every day, it's on the board, I don't need to speak to you." Your tone and manner was perceived by Foreman Havard and others present, including Foreman Steven Ruth, Foreman William Bonilla, and Superintendent Allen Rossney, as inappropriate, hostile and unprofessional.

Pretrial: A representative of Management will be available to meet with you in connection with this matter on **Monday, December 21, 2015 at 9:30 a.m.** North White Plains Car Shop, 2nd Floor, DACMO Office, 353 Parkway Homes Rd, North White Plains.

(11)

You may arrange to have duly accredited representation and/or witnesses present in accordance with your collective bargaining agreement.

Sincerely,



J. Sullivan
Asst Deputy Director
OPERATIONS - M OF E

CC: K . Coughlin, A . Rossney, J . Murawski, J . Sullivan, V . Direnno, D . Knauth

Witness: M . Rutter

Additional CC: P. Howard (TWU); R. Thomas (TWU)

12

Joseph J. Giulietti - President



Metro-North Railroad

Postponement Letter

CERTIFIED MAIL#: 7011 2000 0002 2167 7066 - USPS

Ref No: 121315_10369

Date : 01/11/2016

Employee ID: 115331

Derick L Williams

2438 Morris Ave

Apt 4e

Bronx, NY 10468

Dear Derick L Williams:

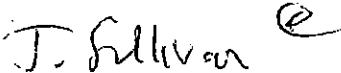
At the request of the Organization, the pre-trial scheduled for December 21, 2015 and trial scheduled for December 23, 2015 were postponed.

The new date of the pre-trial is **Tuesday, January 19, 2016 at 3:00 p.m.**

The new date for the trial is **Tuesday, January 26, 2016 at 2:00 p.m.**

The location for the pre-trial and trial remain the same as stated in the original notice dated December 16, 2015, and all charges stated in that notice remain in full force and effect.

Very truly yours,



J. Sullivan

Asst Deputy Director

OPERATIONS - M OF E

CC: K.Coughlin, A.Rossney, J.Murawski, J.Sullivan, V.Direnno, D.Knauth

Witness: M.Rutter

Additional CC: P. Howard (TWU); R. Thomas (TWU)

HP Officejet 5600 series 5610xi

Personal Printer/Fax/Copier/Scanner

(13)

Log for
Wadadly
16468754975
Dec 11 2015 2:31p

Last Transaction

Date	Time	Type	Identification	Duration	Pages	Result
Dec 11	02:27p	Fax Sent	19145920097	3:36	10	OK

~~Page 18 of 31~~ ① Dec 1 2015 ⑭
DERICK Williams Report

Metro North Railroad Management
At North White Plains yard.

Dec 1 2015 about 4:35^{pm} on a Tuesday
Evening Signs in at the foremen
office for the Safety Rules of the day.
foreman Kevin Ryan said it was Coach cleaner
meeting up stair on 2 floor when the
meeting started.

People present was Cassandra and
myself. also present was Superintendent
Allen Rossney foremen Dave Pate / Kevin
Roger and Union Rep Ricky.

as the meeting went on they told my
co-worker she can leave.

that when I knew I was being single out
because I ask foreman Trevor a question
about a over night Train. that others ask
about twenty times before me.

it was just a question that deserve
an answer that was it. Trevor said
we did not have a pipe fitter on 12-8
shift that night of Nov 25 2015. I went
and dump the 559 on track 13-North 8 cars
on m7 Train. and if you check the Radio
Recording from 6:10^{pm} to 6:50^{pm} I had to
move that Train about 2-3 Time in
order to Dump it

1-18-18

15

Ricardo Thomas

I was present at the Coach Cleaning ^{RT} 12-1-15 meeting called by G.F. Dave Pate. Sup H. Rossney G.L. Kevin Rodgers also present was L. Jenkins and Derrick Williams, before the meeting was started, MS. Jenke given the OK to leave, Mr. Williams, myself and the rest of the Managers continued the meeting, Mr. Williams was singled out by Management.

Ricardo Thomas

1-21-16

Revised 11/04/15

NORTH WHITE PLAINS P. M. LINE UP

DAY:

11/25/15

DATE:

11.25.15

TRAIN	Arr	Equip	Track	TURN	INBOUND CONSIST	TRAIN	Depart	Equip	TRACK	OUTBOUND CONSIST
545	1639	10M3	13	368	8067.6/1140.1/1112.3/058.9/132.3	366	1624	8M7	24	4162.3/14158.5/14232.3/14601.0
345	1654	8M7	PL	570	8084.5/1037.6/1132.3	568	1642	6M7	14	4239.8/14044.8/14030.1
547	1715	8M7	13	370	4287.6/14128.9/14081.0/1431.5	368	1652	10M3	13	
551	1728	6M7	24	572	4249.8/14218.9/14085.4	570	1709	8M7	PL	
349	1733	6M7	PL	2550	4265.4/14035.4/14063.0/14170.1	370	1723	8M7	13	
353	1755	6M7	13	574	4048.9/14311.0/14190.1	2550	1750	6M7	PL	
557	1818	12M3	14	-	409.8/118.9/008.9/130.1/026.7/002.3	572	1759	6M7	24	
559	1836	6M7	13	-	4001.0/14233.0/1439.8/14163.0	574	1828	6M7	13	
359	1840	6M7	13	576	4064.5/14303.0/14233.0	576	1859	6M7	13	
563	1900	10M3	24	-	8067.6/1140.1/1112.3/058.9/132.3	578	1933	8M7	PL	
363	1905	10M3	14	-	8108.9/1074.5/1037.6/1030.3/1034.5	580	1955	TBD		
565	1919	10M3	25	-	8070.6/1140.1/1112.3/058.9/132.3	584	2004	8M7	PL	
567	1929	8M7	23	-	4077.6/14035.4/14309.8/14257.6/14234.5	588	2205	6M7	PL	
2662	1933	8M7	PL	578	4231.0/14095.4/14113.0/14274.5	592	2300	8M7	21	
573	1945	8M3	-	-	4063.4/14131.0/14141.6/14110.3	596	2359	8M7	22	
373	1956	8M7	124	-	4119.8/14247.6/14111.6/14281.0					
2670	2004	8M7	PL	580	4119.8/14247.6/14111.6/14281.0					
577	2012	10M3	-	-	4063.4/14131.0/14141.6/14110.3					
579	2030	8M7	165	-	4169.8/14215.4/14237.6/1405.4					
581	2050	6M7	123	-	4207.6/14173.0/14237.6					
2678	2100	6M7	PL	584	4130.3/14197.6/14011.0/14183.9					
583	2121	6M7	21	592	4181.0/14187.6/14040.1					
585	2151	8M7	22	596	4001.0/14233.0/1439.8/14163.0					
2696	2205	6M7	PL	588	4249.8/14218.9/14085.4	5266	1612	TBD		
587	2223	6M7	144	588	4249.8/14218.9/14085.4	5288	2201	TBD		
589	2251	6M7	13	588	4249.8/14218.9/14085.4	5296	2355	TBD		
591	2328	6M3	115	-	8034.5/1086.7/1110.1					
593	0004	6M3	153	-	8008.9/1124.4/117.6	5604	0531	TBD		
595	0039	6M7	21	588	4249.8/14218.9/14085.4					
5299	0113	TBD	-	-	-					
597	0128	6M7	21	588	4181.0/14187.6/14040.1					
599	0213	8M7	22	-	-					

Dumper

(17)



CAR TOILET AND WATER SERVICE REPORT

DATE: 11-25-15

LOCATION

North white plains
yard

SHIFT

PM 4/12 AM

TRAIN	TRACK	CAR NO.	TOILET	WATER	CLEAN	REMARKS
572	24	4249	Dump			
		4219	Dump			
		4085	Dump			
574	13-S	4044				
		4311				
		4141				
559	13-N	4001				
		4233				
		4139				
		4163				
563	24	8067				
		8141				
		8113				
		8059				
		8183				
565	25	8071				
		8081				
		8021				
		8015				
		8099				
583	21	4181				
		4187				
		4041	Dump	water		none at this time
585	22	not spotted				

REMARKS: (CONDITON OF SYSTEM) (TRUCK OR MANIFOLD) :

D. Williams

(2)

(3)

(18)

AS the meeting went on Benka/Foremen
Dave Pate / Kevin Rogers Superintendent
Allen Rossney.

Nov 2015

Said Trevor E-mail them that he
felt Intimidated by Derick Williams
I was Just Talking. Foremen Trevor that
all I Respect everyone at all times,
this is nothing but more Retaliation from
Allen Rossney / Trevor for Trying to
make me falsified my Safety Report
to Metro North and OSHA to Cover-up
North white plains yard problems that
when I found out Foremen Steve Ruth
was his witness.

he did not tell the Truth of what
happen that night and to top it off
Foremen Trevor was not present at that
meeting that's when I Realized that they
was.

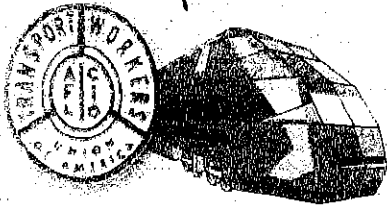
Judge Jury and Executioner with
Bully Tactic. Intimidation. threats
Retaliation. these action I will file
in Court. after my Trial is over and
there act are not Trustworthy at
all it Show more Criminal Retaliation
by North white plains management against
Derick Williams Thank you

(3)

(19)

there actions was premeditated, bias, and didn't follow protocol official procedure or system of rule governing of the state. its also become criminal Retaliation not just because they didn't include General foreman Dave Pate of the Coach Cleaner he was Inform by Marlin from 12+8 Shift after the charges was made.

but they E-mail Dave Pate on Nov 25 2015 about Trevor being Intimidated when DERICK Williams talk to him.



TRANSPORT WORKERS UNION OF AMERICA

A.F.L. - C.I.O.

RAILROAD DIVISION

Local 2001

570 Taxter Road • Elmsford, NY 10523

914-592-0221 • Fax 914-592-0097

John R. Feltz, President
Gerald Lorraine, Executive Vice President
Patrick J. Flannery, Secretary-Treasurer

515

Certified Mail No. 7001 2510 0008 6058 4416

Sent via Certified Mail and Email

June 15, 2015

Mr. J. Sullivan D.C.M.O.
Metro North Railroad
Parkway Homes Road
North White Plains NY 10603

Dear Mr. Sullivan:

On June 11, 2015, I received a phone call from our member Mr. Derick Williams in the presence of Foreman Trevor Harvard while he was in Foreman Harvard's office. The call concerned the 4:00 p.m. to 12:00 am Coach Cleaners assignments. On Wednesdays, Mr. Williams is assigned to do the outside dumping of toilets and Coach Cleaner Mr. Peters is assigned to do the inside dumping and wipe down of the toilets. Mr. Williams once again informed Foreman Harvard that since he was doing the outside dumping and did not do the interior bathrooms he would be falsifying company records by entering into the T.I.M.S. system that the interior bathrooms were properly serviced. He also informed him that by doing this if there was a problem with the bathrooms he would be held responsible at which time Foreman Harvard told him to grieve it with the Union. As explained above Mr. Williams called to inform me of the situation. While talking to Mr. Williams I heard Foreman Harvard threaten Mr. Williams that if he did not enter the information into the T.I.M.S. system he would be sent home which is once again retaliation against Mr. Williams. As mentioned in my previous letter to you when Mr. Williams discussed his concerns with Superintendent Al Rossney and Foreman Harvard he was told that if there was a problem all he had to do was call Foreman Harvard as a witness. Mr. Williams also informed me that after you received my letter you also discussed the situation with him and he informed you of his concerns. Since Mr. Williams requests to all of the parties for something in writing that would relive him of the responsibility of falsifying company records by taking credit for the bathrooms being properly serviced has been to no avail and by the retaliatory threat of

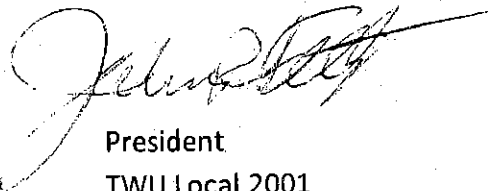
4 FILE COPY

3

21

Foreman Harvard of being sent home if he did not enter the information into the T.I.M.S. system, Mr. Williams, under protest will do as ordered.

John R. Feltz



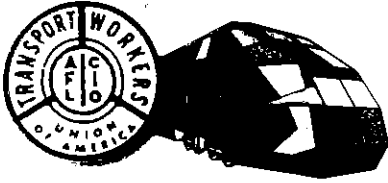
President
TWU Local 2001

Cc: D. Williams

FILE COPY

5

(22)



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515

May 15, 2015

Mr. J. Sullivan D.C.M.O.
Metro North Railroad
Parkway Homes Road
North White Plains NY 10603

Dear Mr. Sullivan:

I am writing on behalf of Mr. Derick Williams who is a member of our Organization. On May 8, 2015, Mr. Williams' assigned duties, as in the past were to do the exterior dumping of the toilet waste tank and to fill the water tanks of the cars that he was assigned to service. At approximately 4:35 p.m. on the aforementioned date, Mr. Williams, was approached, by Foreman Trevor and General Foreman Al Resnick and told that when he entered into the T.I.M.S. system the car numbers of the cars that he had dumped and watered, they also wanted him to enter into the system that the interior bathrooms of those cars were clean. Mr. Williams informed both of them, (which they already knew) that since it was not part of his duties and that since he did not service or clean the interior bathrooms he could not take credit for it in the T.I.M.S. systems. Mr. Williams also told them that if he did report that he cleaned the interior bathrooms and they were reported to be dirty he would be brought up on charges to which the General Foreman responded if you have a trial just call Foreman Trevor as your witness.

It is very apparent to the Organization as well as Mr. Williams that both of these Supervisors were instructing him to falsify company documents and trying to bait him into a situation that would have had him brought up on discipline charges that would have resulted in his being dismissed. I have attached Mr. Williams' statement as well as his line up sheet for May 8, 2015.

Very truly yours,

John R. Feltz
President TWU
Local 2001

Cc: D. Williams

(6)

DERICK Williams Report

(23)

DEC 4 2015 on A Friday 4:20 PM
I went in to the foreman office
to sign the Safety Rule of the
day.

all was present: Superintendent Allen
Rossney. Foremen Steve Ruth. Will Ballwa
Trevor who had the problem with
his self.

Trevor said Derick your pick up the North
side of the Train, and I did not respond
verbally and then he tried to bait
me in to an argument in front of
other foremen. So he can have witnesses
but remember NOV 25 2015 Trevor E-mail
Allen Rossney - DAVE Pate - Kevin Rogers
when DERICK talk to me I feel intimidated
that was foreman Trevor word.

Allen Trevor was saying DERICK I
was going to [REDACTED] reply
acknowledged he said yes by saying
[REDACTED] I [REDACTED] Treverins
[REDACTED] let the day in my [REDACTED]
[REDACTED]

[REDACTED] on [REDACTED] in the
[REDACTED] was [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]

(7)

~~REDACTED~~ (2) and don't forget they say I have
angry black man Syndrome that been
going around North white plains yard
for some time now. a co-worker of
mine said it before, and nothing
was said to him by foreman Trevor
he is one of Trevor boys

Dorick Williams
2438 Morris Ave #4E
Bx New York 10468

DERICK WILLIAMS Report (25)

at North white plains yard
Saturday DEC 5 2015 Clock in at 4pm
then sign the safety rule of the day
present was foreman Trevor had nothing
to say he was very quiet inside
the foreman office.

it was not ANY harassment by foreman
Trevor did not say anything about
the line-up what side of the train
I had to pick-up or anything but
on Dec 4 2015 Trevor tried his hardest
to bait me in to an argument.

and I know metro North Rail Road
is trying to make me look like I have
a problem with everyone at management
that not true at all.

also Tell Co-workers stay away from
DERICK he trouble.

gang mentality gossip bad management
Ruin North white plains yard managers
that are incompetent and don't know
how to run the organization with there
action. Since I came to North white plains
yard in June 19 2011 to the present 2015.

Look at the History of attack by management
you cannot make this up how much should
a men have to endure and don't get
me wrong you have a lot of good (9)

(26)

managers at North white plains yard
but the ones who use Bully Tactic and
harassment / Retaliation are not showing
Good Leadership.

Williams V. Metro-North Rail Road.
13 CIV 4731 PGG Old Case

To Honorable Paul G. Gardephe
~~United~~ State District Judge
Southern District of New York
40 Foley Square Room 2204 or 705
New York, New York 10007

To Two Local 2001
Mr. John Feltz
914-592-0221
Fax 914-592-0097

DERICK WILLIAMS
2438 MORRIS AVE 4-E
Bronx New York 10468
Derrick Williams
646-760-8382

Memorandum ⁽²⁷⁾



Metro-North Railroad

POSTED
01/07/12

Date January 1, 2012
To All Maintenance of Equipment Employees
From John E. Kesich - CMO
Re 2012 Critical Rules

The following is a reminder of **Critical Rules** for the Maintenance of Equipment Department.

The following critical rules represent situations that have the potential to cause serious injury or death.

1. Insubordination
2. Theft
3. Fighting or threat of bodily harm
4. Violation of the Blue Flag Law
5. Intentionally defeating the purpose of a safety device
6. Mounting or dismounting moving equipment
7. Being under the influence of drugs or alcohol
8. Falsification of Company Documents
9. Possession of firearms or explosives on company property
10. Placing yourself in the foul of live third rail or catenary

Anyone observed in violation of these rules will be removed from service.

Thank you.

I have phone Recording
on a disc with General Foremen
Dave Pate Told me more then once
Allen Rossney Set this up.

You will hear Dave
agree that allen Rossney
Set this up.

(1) Disc inside with the paper

Daniel Williams (11)